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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/783,456 | 02/19/2004 | Daniel S. Sommerfeld | 11663-013 | 7780 |

7590 06/02/2006

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| EXAMINER |
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LE, HUYEN D

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| ART UNIT | PAPER NUMBER |
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3751

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,456

Applicant(s)

SOMMERFELD ET AL.

Examiner

Huyen Le

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Juaire et al (4,574,025).

The Juaire reference discloses a method of manufacturing wall panel 20 of a portable restroom comprising: applying heat to a first polymer sheet 10; pressing a first mold 17 into contact with the first polymer sheet 10; applying a vacuum to the first polymer sheet 10 and the first mold 17; forming a plurality of reinforcement ribs 21,22,23 in a surface of the first sheet; applying heat to a second polymer sheet 11; pressing the second polymer sheet 11 into contact with a second mold 19; applying a vacuum to the second polymer sheet 11 and the second mold 19; and bringing first polymer sheet 10 into contact with the second polymer sheet 11 at the plurality of reinforcement ribs (those are the downwardly extending ribs between ribs 21 and 28 contacting and joining the bottom sheet and also contacting and joining at 29 as shown in Fig. 4) to knit (or join as disclosed in the 2nd paragraph on page 5 of the specification) the first polymer sheet with the second polymer sheet at the reinforcement ribs to form the wall panel 20 (col. 2, lines 52-60).

3. Claims 101-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hatchadoorian et al (4,457,797).

The Juaire reference discloses a method of manufacturing wall panel 20 comprising: applying heat to a first polymer sheet 60 (the right sheet in Figs. 9-13); pressing a first mold 93 into contact with the first polymer sheet 60; applying a vacuum to the first polymer sheet 60 and the first mold 93; forming a plurality of reinforcement ribs (formed by members 74) in a surface of the first sheet 60; applying heat to a second polymer sheet 60 (the left sheet); pressing the second polymer sheet 60 into contact with a second mold 55; applying a vacuum to the second polymer sheet 60 and the second mold 55; and bringing first polymer sheet 60 into contact with the second polymer sheet 60 at the plurality of reinforcement ribs (formed by members 74 shown in Fig. 14) to knit the first polymer sheet with the second polymer sheet at the reinforcement ribs to form the wall panel 20 (col. 11, lines 49-66).

Response to Arguments

4. Applicant's arguments filed on 03/20/2006 with respect to claims 10-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Harding et al teaches a panel formed by two polymer sheets bonded together at the ribs.
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 3751

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

May 26, 2006



Huyen Le
Examiner
Art Unit 3751